

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 07-06-26**

Date Published: June 21, 2007  
For Work Week Commencing: June 25, 2007  
Commission Meeting: June 26, 2007, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. 3 Rivers Telephone Cooperative, Inc. D2007.2.21 (Jim)

On February 21, 2007, 3 Rivers Telephone Cooperative, Inc. filed a Petition for Arbitration pursuant to 47 U.S.C. §252(b) of the Telecommunications Act

of 1996, seeking Commission arbitration of an interconnection agreement with MTPCS, LLC d/b/a Chinook Wireless. On May 8, 2007, 3 Rivers filed an unopposed Motion to Withdraw its Petition for Arbitration. A 3 Rivers-Chinook interconnection agreement was submitted to the Commission and is the subject of a Work Session at today's (June 26, 2007) Business Meeting. Probable motion: Grant 3 Rivers' motion to withdraw its petition for arbitration in Docket D2007.2.21.

2. Range Telephone Cooperative, Inc. D2005.9.141 (Gary)

Range Telephone Cooperative, Inc. (Range) filed for approval by the Commission interconnection agreement Amendment 1 between Range and Cable & Communications Corporation (C&CC) in Docket No. D2005.9.141. This amendment adds the Range Alzada exchange to the existing agreement which provides for Range and C&CC to exchange local telecommunications traffic (wireline to wireless and wireless to wireline) in the Range Montana local exchange areas. This amendment was voluntarily negotiated by the parties involved. Probable motion: Move to approve the interconnection agreement Amendment 1 between Range Telephone Cooperative and Cable & Communications Corporation (C&CC) in Docket No. D2005.9.141.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. D2007.5.51 – 3 Rivers Telephone Cooperative, Inc. and MTPCS, LLC dba Chinook Wireless – Interconnection agreement – Discuss and act on the agreement. (6/26/07)
2. N2007.5.48 – Qwest Corporation – Motion for Protective Order – Consider Qwest's request to protect Central Office and Access Line Statistics. (6/26/07)
3. D2006.10.143 - Russell L. Doty and Qwest Customers, et al. – Formal Complaint against Qwest – Discuss Montana Consumer Counsel's Motion to Compel. (6/26/07)
4. N2007.5.50 – Montana-Dakota Utilities Co. - 2007 Integrated Electric Least Cost Resource Plan – Answer any preliminary questions on the filing; recommend Commission action to waive ARM 38.5.2012(2) retroactively to extend the comment deadline; get direction/authorization to submit questions

- to MDU on its filing; get any other direction or dispose of other issues, unknown at this time, that are directly related to the application of Commission IRP rules or state statute to this filing. (6/26/07)
5. D2006.5.66 – NorthWestern Energy – Application for Approval of Electric Supply Deferred Cost Account Balance and Projected Electric Supply Cost – Discuss and act on consolidating this docket with Docket No. D2007.5.46, NWE's 2007 electric supply cost tracker. (6/26/07)
  6. D2007.5.46 – NorthWestern Energy – Electric default supply tracker – Discuss and act on interim order. (6/26/07)
  7. D2007.5.44 – NorthWestern Energy – Natural gas tracker filing – Discuss and decide on interim relief requested by NWE. (6/26/07)
  8. D2004.6.90 – NorthWestern Energy - Comprehensive demand-side resource program evaluation and lost T&D revenue recovery evaluation - Discuss/act on NWE's motion for extension of time to August 15, 2007, to file evaluation results. (6/26/07)
  9. Order 890 Final Rule – Inform Commission on the provisions of the Federal Regulatory Commission's (FERC) Order 890 that seeks to prevent undue discrimination and preference in electricity transmission. (6/26/07)
  10. D2006.6.82 – NorthWestern Corporation and Babcock & Brown Infrastructure Limited, et al. – Joint Application for Approval of the Sale and Transfer of NorthWestern Corporation to BBIL Pursuant to a Merger Agreement – Discuss and act on draft final order. (6/26/07)
  11. Out of state staff travel – Approve travel requests for: (1) Joel Tierney, pipeline safety training (SCADA), Oklahoma City, July 17-20, and (2) Eric Dahlgren for pipeline safety training course, Oklahoma City, August 13-17. (6/26/07)
  12. **6/29/07 9:00 a.m.** - FCC 07J-2, CC 96-45, WC 05-337 – The FCC's Federal State Joint Board on Universal Service seeks comment on long term, comprehensive high-cost universal service reform – Discuss the draft reply comments. (6/29/06)

### **Other Meetings**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates  
(if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Corporation N2007.6.62 (Gary)

On June 15, 2007, Qwest Corporation (Qwest) filed for Commission approval an amended Multi-State Agreement (MSA) between Qwest and First Horizon National Corporation (First Horizon). Qwest is filing the MSA and amendment with the Commission for approval pursuant to Section 2.18 (Large Business Customers with a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004, Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest's response to New Horizon's request for new pricing for their services and future service needs. The services being purchased are business services and are available from other competitive carriers in addition to Qwest.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. Russell L. Doty, et al. v. Qwest Corporation D2006.10.143 (Jim)

On June 14, 2007, Qwest Corporation filed a Motion for Protective Order seeking to protect cable and wire facilities detail and location of buried cable additions.

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2007.6.59 – NorthWestern Energy – Application for Approval of 2007 Avoided Cost Compliance Filing

D2007.6.60 – Verizon Wireless – Notice of Bona Fide Request to Ronan Telephone Company for a Local Interconnection Agreement

D2007.6.61 – Verizon Wireless – Notice of Bona Fide Request to Hot Springs Telephone for a Local Interconnection Agreement

N2007.6.62 – Qwest Corporation and First Horizon National Corporation – Amended Multi-State Agreement

D2007.6.63 – Energy West Montana – Application to Make Interim Adjustments Final and to Reconcile the Gas Cost Tracking Mechanism for the Period 4/1/06 through 3/31/07